

EXHIBIT 27

Deposition of Carlos Silva

Excerpts

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)	
FITCH, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	2:15-cv-01045-RFB-(PAL)
)	
ZUFFA, LLC, d/b/a Ultimate)	
Fighting Championship and)	
UFC,)	
)	
Defendant.)	
_____)	

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CARLOS SILVA

Las Vegas, Nevada

April 18, 2017

9:16 a.m.

REPORTED BY:
CYNTHIA K. DuRIVAGE, CSR #451
Job No. 49524

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p style="text-align: right;">166</p> <p>1 abilities and their ability to become as good as they</p> <p>2 can be at their trade.</p> <p>3 Q. Is it martial arts training?</p> <p>4 A. It's different for everyone. It might be</p> <p>5 running for a fighter if they think if they run they</p> <p>6 can become a better fighter. I don't really know.</p> <p>7 Q. Is that special training?</p> <p>8 A. Sure, if endurance is a part of them being</p> <p>9 a good mixed martial arts fighter.</p> <p>10 Q. Would that be enough?</p> <p>11 A. I doubt it.</p> <p>12 Q. Is endurance alone enough?</p> <p>13 A. No. By nature of the word mixed martial</p> <p>14 arts, it's mixed, mixed disciplines.</p> <p>15 Q. And in your experience, do single</p> <p>16 discipline fighters excel?</p> <p>17 A. I don't know if it matters what my opinion</p> <p>18 is. They either excel or they don't excel.</p> <p>19 Q. How would a pure boxer do at the high</p> <p>20 levels of MMA?</p> <p>21 A. No idea.</p> <p>22 Q. You haven't seen that before?</p> <p>23 A. No, I haven't.</p> <p>24 Q. Did you see James Toney fight Randy</p> <p>25 Couture?</p>	<p style="text-align: right;">168</p> <p>1 A. So I think he would do as well as anyone</p> <p>2 would do in their first MMA fight.</p> <p>3 Q. Is it safe to say you would expect Conor to</p> <p>4 win handily?</p> <p>5 A. I don't know what "handily" means, but...</p> <p>6 Q. Relative ease.</p> <p>7 A. I would assume a guy that's fought many</p> <p>8 times in the MMA versus the guy who has not would</p> <p>9 more likely win.</p> <p>10 Q. And if we reverse that scenario, how would</p> <p>11 you expect Conor MacGregor to do in a professional</p> <p>12 boxing match against Floyd Mayweather?</p> <p>13 MR. SKAGGS: Calls for speculation.</p> <p>14 THE WITNESS: Similar. Floyd is 49 and 0?</p> <p>15 Or 50 and 0. 49 and 0. And Conor, as far as I know,</p> <p>16 has not been in professional boxing.</p> <p>17 BY MR. MAYSEY:</p> <p>18 Q. Would you agree that mixed martial arts is</p> <p>19 different than boxing?</p> <p>20 MR. SKAGGS: Vague.</p> <p>21 THE WITNESS: Agreed.</p> <p>22 BY MR. MAYSEY:</p> <p>23 Q. Different than kickboxing?</p> <p>24 A. Agreed.</p> <p>25 Q. Different than soccer?</p>
<p style="text-align: right;">167</p> <p>1 A. I did not.</p> <p>2 Q. Did you see UFC 1?</p> <p>3 A. No, I did not.</p> <p>4 Q. How do you think Floyd Mayweather would do</p> <p>5 against Conor MacGregor in a professional MMA match?</p> <p>6 MR. SKAGGS: Calls for speculation.</p> <p>7 THE WITNESS: I think it would be fun.</p> <p>8 BY MR. MAYSEY:</p> <p>9 Q. Aside from fun, what do you think the</p> <p>10 result would be?</p> <p>11 MR. SKAGGS: Calls for speculation.</p> <p>12 THE WITNESS: I have no idea.</p> <p>13 BY MR. MAYSEY:</p> <p>14 Q. How do you think Conor would do in a</p> <p>15 professional boxing matching against Floyd?</p> <p>16 A. That's what you just asked me.</p> <p>17 Q. Reversed, in the professional --</p> <p>18 A. Oh, I'm sorry. Could you ask the first</p> <p>19 question again.</p> <p>20 Q. How would Floyd Mayweather do in a</p> <p>21 professional MMA match against Conor MacGregor? In</p> <p>22 your opinion.</p> <p>23 A. It would be Floyd Mayweather's first MMA</p> <p>24 fight?</p> <p>25 Q. Correct.</p>	<p style="text-align: right;">169</p> <p>1 A. Agreed.</p> <p>2 Q. Do you agree that better known fighters in</p> <p>3 terms of consumer awareness generally attract more</p> <p>4 viewers?</p> <p>5 MR. SKAGGS: Vague, foundation.</p> <p>6 THE WITNESS: No.</p> <p>7 BY MR. MAYSEY:</p> <p>8 Q. How come?</p> <p>9 A. It's unclear what attracts more viewers.</p> <p>10 Q. What attracts more consumer awareness?</p> <p>11 A. Everything. Luck. A moment in time, a</p> <p>12 melee, trash talk, a good fighter, not a good</p> <p>13 fighter, all of those things.</p> <p>14 Q. So when you were raising funds for MMAX, I</p> <p>15 think it's Investment Partners, Inc., do you put</p> <p>16 right in the pitch: Luck plays a big part of what</p> <p>17 we're doing?</p> <p>18 MR. SKAGGS: Foundation. Is there a</p> <p>19 document?</p> <p>20 MR. MAYSEY: No, it's a question.</p> <p>21 THE WITNESS: No, I don't put that in the</p> <p>22 pitch.</p> <p>23 BY MR. MAYSEY:</p> <p>24 Q. Do you think it helps a fighter become</p> <p>25 well-known to the general public by winning?</p>

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p style="text-align: right;">170</p> <p>1 MR. SKAGGS: Vague.</p> <p>2 THE WITNESS: I'm sorry. You have to</p> <p>3 repeat the question.</p> <p>4 BY MR. MAYSEY:</p> <p>5 Q. Yeah. Do you think it helps a fighter</p> <p>6 become well-known amongst the general public by</p> <p>7 winning?</p> <p>8 MR. SKAGGS: Same objection.</p> <p>9 THE WITNESS: I think it's a fact -- I</p> <p>10 think it's a factor, yes.</p> <p>11 BY MR. MAYSEY:</p> <p>12 Q. All things otherwise equal, would you say</p> <p>13 that when a fighter wins a bout, his value generally</p> <p>14 goes up, and when he loses, his value generally goes</p> <p>15 down?</p> <p>16 MR. SKAGGS: Vague, form.</p> <p>17 THE WITNESS: I would say, generally if a</p> <p>18 fighter wins, their value goes up. I would not say</p> <p>19 that if they lose, they go down.</p> <p>20 BY MR. MAYSEY:</p> <p>21 Q. And that's because it could have been a</p> <p>22 spectacular fight, they just happened to lose; is</p> <p>23 that it?</p> <p>24 A. Correct.</p> <p>25 Q. Now, if I change the question to say the</p>	<p style="text-align: right;">172</p> <p>1 scratch that.</p> <p>2 Is it easier to grow and create well-known</p> <p>3 fighters or retain fighters who are already</p> <p>4 well-known?</p> <p>5 A. I think it's a mix of all.</p> <p>6 Q. What criteria does the World Series Of</p> <p>7 Fighting use to evaluate which fighters to sign?</p> <p>8 A. Long list of criteria. Where they've</p> <p>9 fought, who they fought, have they won, have they</p> <p>10 lost, are they on a streak, are they not on a streak,</p> <p>11 do people know them. The list goes on and on.</p> <p>12 Q. So are you examining fight records in</p> <p>13 making qualitative assessments as to who the</p> <p>14 opponents were?</p> <p>15 A. As one -- as one -- as one factor, yes.</p> <p>16 Q. So that is part of the analysis, at least?</p> <p>17 A. Sure.</p> <p>18 Q. Does the World Series Of Fighting prefer</p> <p>19 fighters to be well-known before signing them?</p> <p>20 A. Prefer? Can you define "prefer."</p> <p>21 Q. Yeah. All things being equal, is it a plus</p> <p>22 for that fighter to have if they're already</p> <p>23 well-known?</p> <p>24 A. Yes. It can be a plus.</p> <p>25 Q. Do fighters need to have competed in</p>
<p style="text-align: right;">171</p> <p>1 fight was spectacular, will the fighter benefit more</p> <p>2 had they won the spectacular fight?</p> <p>3 A. Maybe.</p> <p>4 MR. SKAGGS: Vague.</p> <p>5 BY MR. MAYSEY:</p> <p>6 Q. Is it important for World Series Of</p> <p>7 Fighting to retain well-known fighters?</p> <p>8 MR. SKAGGS: Vague.</p> <p>9 THE WITNESS: I think that's one -- I think</p> <p>10 that's one factor for World Series Of Fighting, for</p> <p>11 our success.</p> <p>12 BY MR. MAYSEY:</p> <p>13 Q. If World Series Of Fighting is not</p> <p>14 successful in retaining or signing well-known</p> <p>15 fighters, is it likely that it will decline in</p> <p>16 popularity?</p> <p>17 A. No.</p> <p>18 MR. SKAGGS: Calls for speculation.</p> <p>19 THE WITNESS: It's not likely.</p> <p>20 MR. SKAGGS: Form.</p> <p>21 BY MR. MAYSEY:</p> <p>22 Q. Why not?</p> <p>23 A. Because World Series Of Fighting also grows</p> <p>24 and creates fighters.</p> <p>25 Q. And can you grow and create faster than --</p>	<p style="text-align: right;">173</p> <p>1 professional mixed martial arts before the World</p> <p>2 Series Of Fighting is interested in signing them?</p> <p>3 A. Yes.</p> <p>4 Q. Do they need to demonstrate a track record</p> <p>5 of success in competition or of attracting live</p> <p>6 audience?</p> <p>7 MR. SKAGGS: Form.</p> <p>8 THE WITNESS: Ask that -- if you could ask</p> <p>9 that question in each part.</p> <p>10 BY MR. MAYSEY:</p> <p>11 Q. Sure. When World Series Of Fighting is</p> <p>12 determining whether to sign a fighter, is a</p> <p>13 demonstrated record of success in competition</p> <p>14 important?</p> <p>15 A. That is a factor that we look at.</p> <p>16 Q. And when World Series Of Fighting is</p> <p>17 determining whether to sign a fighter, does it</p> <p>18 consider whether the fighter has the ability to sell</p> <p>19 tickets?</p> <p>20 A. Yes.</p> <p>21 Q. Does the World Series Of Fighting consider</p> <p>22 whether -- scratch that.</p> <p>23 Does the World Series Of Fighting give any</p> <p>24 extra weight to fighters who have competed in the</p> <p>25 UFC?</p>

44 (Pages 170 to 173)

Carlos Silva - HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

<p style="text-align: right;">202</p> <p>1 A. Do they grant us?</p> <p>2 Q. Is that part of the contract?</p> <p>3 A. For the fighter to grant World Series Of</p> <p>4 Fighting the right?</p> <p>5 Q. Right.</p> <p>6 A. No. They don't have the right to give it</p> <p>7 to us.</p> <p>8 Q. Okay. Because you own it?</p> <p>9 A. Correct.</p> <p>10 Q. And you presumably would never grant the</p> <p>11 athlete those rights?</p> <p>12 A. We do at times. If they need it for a</p> <p>13 sponsor, a documentary, a movie, something like that.</p> <p>14 Q. So you would give written permission for</p> <p>15 them to use it to for a specific purpose?</p> <p>16 A. Correct.</p> <p>17 Q. But ultimately, you would own the rights to</p> <p>18 that --</p> <p>19 A. Correct.</p> <p>20 Q. -- intellectual property?</p> <p>21 A. We're not giving them the rights, we're</p> <p>22 letting them borrow the rights. There's a big</p> <p>23 difference.</p> <p>24 Q. Why is it important that World Series Of</p> <p>25 Fighting retains those intellectual property rights?</p>	<p style="text-align: right;">204</p> <p>1 Q. What do you mean by that?</p> <p>2 A. If you're on television from 8:00 to</p> <p>3 10:00 at night, you're competing with everything else</p> <p>4 that people could do from 8:00 to 10:00 at night.</p> <p>5 Anything. Live sport event, theater, television,</p> <p>6 cable, broadband, pay services, Amazon, Netflix.</p> <p>7 Q. Do you compete with other organizations to</p> <p>8 sign MMA athletes?</p> <p>9 A. Yes.</p> <p>10 Q. And when looking for athletes to sign, do</p> <p>11 you look only for those athletes in North America, or</p> <p>12 do you look around the world?</p> <p>13 A. Around the world.</p> <p>14 Q. And are you competing to sign those</p> <p>15 athletes against MMA promoters that are located only</p> <p>16 in North America or other promoters around the world?</p> <p>17 A. Both, but primarily North America.</p> <p>18 Q. But there are some promoters around the</p> <p>19 world that you would compete with --</p> <p>20 A. There's a few.</p> <p>21 Q. -- to sign some athletes?</p> <p>22 A. There's a few around the world.</p> <p>23 Q. Is there a large talent pool available from</p> <p>24 which World Series Of Fighting can sign MMA athletes?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">203</p> <p>1 A. An asset of the company.</p> <p>2 Q. It's an important asset?</p> <p>3 A. All assets are important.</p> <p>4 Q. Well, what makes these particular assets</p> <p>5 important?</p> <p>6 A. It's media. It's a -- it's a library, an</p> <p>7 asset of a media company, of a sports property, is</p> <p>8 the live footage is owned by the company.</p> <p>9 Q. When broadcasting an event on television,</p> <p>10 do you compete for television viewers?</p> <p>11 A. Yes.</p> <p>12 Q. And are you competing only with other MMA</p> <p>13 promoters for television viewers, or are you also</p> <p>14 competing with other sports and entertainment</p> <p>15 programming for viewers?</p> <p>16 A. Competing with everything that's on</p> <p>17 television.</p> <p>18 Q. So not just sports and entertainment</p> <p>19 programming?</p> <p>20 A. Correct.</p> <p>21 Q. Are you competing with anything other than</p> <p>22 what is on television?</p> <p>23 A. Yes.</p> <p>24 Q. What else would you be competing with?</p> <p>25 A. A pretty day.</p>	<p style="text-align: right;">205</p> <p>1 Q. Do you think MMA promoters should be able</p> <p>2 to make their own business decisions about whether to</p> <p>3 co-promote bouts?</p> <p>4 A. Yes.</p> <p>5 Q. Do you think the term "elite professional</p> <p>6 MMA fighter" is a subjective term?</p> <p>7 A. Yes.</p> <p>8 Q. Are you aware of any sort of certification</p> <p>9 that an MMA athlete can get that certifies them as an</p> <p>10 elite professional MMA fighter?</p> <p>11 A. No.</p> <p>12 Q. Has the UFC blocked the World Series Of</p> <p>13 Fighting from any inputs necessary to put on</p> <p>14 successful MMA events?</p> <p>15 A. No.</p> <p>16 Q. Has the UFC done anything to impede your</p> <p>17 ability to compete with them?</p> <p>18 A. No.</p> <p>19 Q. Is MMA as big as the NFL?</p> <p>20 A. Not yet.</p> <p>21 Q. And how are they different?</p> <p>22 A. How are what different?</p> <p>23 Q. The NFL and MMA.</p> <p>24 MR. COUVILLIER: Objection, vague.</p> <p>25 THE WITNESS: You have to be a little more</p>